

JUN 25 1997



## CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing regarding Weed Abatement Proceedings Involving Various  
Parcels Within The City of Lodi To Allow Property Owners having Objections To  
The Proposed Removal Of Weeds To Be Heard and Given Due Consideration

MEETING DATE: July 2, 1997

PREPARED BY: Fire Marshal

RECOMMENDED ACTION: That following the public hearing and receipt of public  
testimony, the City Council adopt the attached Resolution  
No 97-70 overruling objections and proceeding with weed abatement.

BACKGROUND INFORMATION: At the City Council meeting of June 4, 1997, the Lodi City council  
adopted Resolution No 97-70 declaring weeds a public nuisance and  
initiating abatement proceedings on various parcels throughout the  
City.

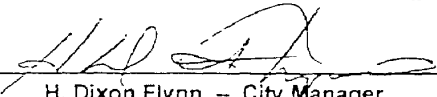
Pursuant to State of California Government Code Section 39500 et seq., a Notice to Destroy Weeds and  
Remove Rubbish, Refuse, and Dirt was publish, mailed under Declaration of Mailing to each of the  
involved property owners, and posted on the subject properties as determined by the City Attorney and the  
Fire Inspector. The purpose of this public hearing is for property owners having any objections to the  
proposed abatement to be heard and given due consideration

We have been advised by the Fire Department that since the adoption of Resolution No 97-70 numerous  
property owners have abated the weeds on their property. We will provide council with a list of the parcels  
that are not in compliance following a final inspection by the Fire Inspector prior to the City council  
meeting. This document will then serve as the exhibit referred to in the body of Resolution No 97-70.

Following the public hearing and receipt of public testimony regarding the matter, it would be in order for  
the Council to adopt the attached resolution overruling objections and proceeding with abatement.

Fire Marshal Steve Raddigan will be present at the meeting to make this report to the City Council.

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn - City Manager



## CITY OF LODI

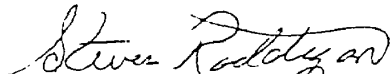
## COUNCIL COMMUNICATION

Weed Abatement

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FUNDING: None required

  
Steven Raddigan, Fire Marshal

SR/cs

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

RESOLUTION NO. 97-95

A RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH  
ABATEMENT BEFORE THE CITY COUNCIL OF THE CITY OF LODI  
IN THE MATTER OF WEED ABATEMENT PROCEEDINGS

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Overruling Objections and  
Determining to Proceed with  
Abatement

RESOLUTION No. 97-95

The City Council adopted Resolution No. 97-70 on June 4, 1997, which by its terms the Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City; and

A public hearing was held on July 2, 1997 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On June 4, 1997, the City Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon the streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City, all as more particularly described in Resolution No. 97-70, adopted June 4, 1997.

(2) The Council fixed July 2, 1997 at the hour of 7:00 o'clock p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt, and the Director of Public Works was designated as the person to perform the duties imposed by Government Code Section 39560-39588 upon the Superintendent, and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt and did in the time and manner prescribed by law cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; the City did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 97-70 in the time, form and manner prescribed by law.

(3) The City Council did hold a public hearing on July 2, 1997, and no objections, either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented and the hearing was closed on July 2, 1997.

(4) The Superintendent is ordered to abate the nuisance declared by Resolution No. 97-70 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the Superintendent may enter upon private property to abate the nuisance. Before the Superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his/her own expense.

(5) The Superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the Council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code Section 39574.

Adopted by the City Council of the City of Lodi on July 2, 1997 by the following vote:

AYES: COUNCIL MEMBERS - -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

ALICE M. REIMCHE  
Acting City Clerk

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13 1-36.0	JOHN DONOVAN 225 W ELM ST LODI, CA 95240	A.P.N.: 049-170-22 804 EAST BLACK DIAMOND WAY
150 1-36.0	DONALD & ROCHELLE ROEK 18948 N DAVIS RD LODI, CA 95242	A.P.N.: 049-020-30 835 EAST TURNER ROAD
238 1-36.1	DONALD & ROCHELLE ROEK 18948 N DAVIS RD LODI, CA 95242	A.P.N.: 049-020-31 847 EAST TURNER ROAD
239 1-36.2	JWR COMPANY PTP PO BOX 693014 STOCKTON, CA 95269	A.P.N.: 049-020-32 911 EAST TURNER ROAD
240 1-36.3	JWR COMPANY PTP PO BOX 693014 STOCKTON, CA 95269	A.P.N.: 049-020-33 923 EAST TURNER ROAD
241 1-36.4	ROEK BROTHERS PTP PO BOX 30038 STOCKTON, CA 95213	A.P.N.: 049-020-34 935 EAST TURNER ROAD
242 1-36.5	JWR COMPANY PTP PO BOX 693014 STOCKTON, CA 95269	A.P.N.: 049-020-35 947 EAST TURNER ROAD
14 1-38.0	JOHN & JOANNE DONOVAN PO BOX 456 LODI, CA 95241	A.P.N.: 049-170-21 810 EAST BLACK DIAMOND WAY
22 1-53.0	PINKERTON HOLDINGS INC 42 N CLUFF AVE LODI, CA 95240	A.P.N.: 049-050-55 31 NORTH CLUFF AVENUE
151 1-54.0	EDLUND J LOO 915 BLACK DIAMOND WY LODI, CA 95240	A.P.N.: 049-190-01 3 COMMERCE STREET
157 1-62.0	WESTVIEW ESTATES LTD 5503 TEAL CT STOCKTON, CA 95207	A.P.N.: 049-190-09 167 COMMERCE STREET
277 1-95.0	JOHN AND V TERESI TRS PO BOX 819 LODI, CA 95241	A.P.N.: 049-040-61 225 NORTH GUILD AVENUE
197 1-106.0	THOMAS AND CATHY TUCKER PO BOX 1298 LODI, CA 95241	A.P.N.: 043-111-05 336 EAST LOCUST STREET

30	H D ARNAIZ CORP	A.P.N.: 041-460-40
1-108.0	PO BOX 8596	548 YOKUTS DRIVE - VACANT AREA
	STOCKTON, CA 95208	
31	CENTRAL CALIF TRACTION	A.P.N.: 047-020-08
2-1.0	920 SE QUINCY	310 SOUTH MAIN STREET
	TOPEKA, KS 66621	
33	GLADYS BOWLES	A.P.N.: 047-342-03
2-2.0	5828 E FAIRLANE RD	508 SOUTH CENTRAL AVENUE
	ACAMPO, CA 95220	
127	JAMES SHERIDAN QUINN	A.P.N.: 045-180-19
4-7.0	811 S PLEASANT AVE	811 SOUTH PLEASANT AVENUE
	LODI, CA 95240	
184	ARTURO LOPEZ	A.P.N.: 027-300-01
4-21.0	1701 S MILLS AVE #76	905 INTERLAKEN DR.
	LODI, CA 95242	
186	CHRIS R & L KESZLER ETAL	A.P.N.: 027-300-11
4-24.0	317 W LODI AVE	2452 GRENOBLE CT.
	LODI, CA 95240	